THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 10691 of 2007

Oral order:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-AP NPDCL.

The petitioner, who claims that he has been engaged by the respondents as semi-skilled contract labour at their 220/132 KV Sub-station, Durshed, since 01.10.2006, and that he has been also admitted to EPF with EPF Account No. 42698/83. He states that he had applied for appointment to the post of Contract Junior Linemen in pursuance of the notification dated 31.03.2007, issued by the respondents. It is the grievance of the petitioner that though the respondents called him for the interview scheduled to be held on 09.04.2007, for no reason they refused to permit him to attend the interview. Hence he filed the present writ petition.

The learned Standing Counsel for the respondents-AP NPDCL on instructions submitted that as per Para 6(iv)(a) of the Terms of Recruitment, if the candidates fulfill the criteria prescribed in Para 6(i) to (iii), then preference will be given to experience i.e. presently serving contract labour, and after exhausting the recruitment based on the said Terms of Recruitment, if still any vacancies remain unfilled, then the recruitment shall be made as per Para 6(iv)(b), which states that if contract labour and fresh candidates apply for the post, the contract labour will be given preference for selection. He submitted that though the petitioner is a semi-skilled labour, but since he was not on the rolls of the respondents as required by Para 6(iv)(a), he was not interviewed despite calling him for interview. He, however,

submitted that the petitioner's case would be considered in terms of Para 6(iv)(b) of the Terms of Recruitment.

Having regard to the stand taken by the learned Standing Counsel for the respondents-AP NPDCL, as stated above, I deem it appropriate to dispose of the writ petition with the following directions:

If any vacancies, notified in the impugned recruitment notification, after making recruitment in terms of Para 6(iv)(a) of the Terms of Recruitment, remain unfilled, then the respondents shall consider the case of the petitioner for recruitment to the post of Contract Junior Lineman against the unfilled vacancies, in terms of Para 6(iv)(b) of the Terms of Recruitment.

Accordingly, the writ petition is disposed of. No costs.

_____

N.V. RAMANA, J.

Dated: 19th June, 2007.
KSR